

Application No. 09/786,204
Amendment dated July 30, 2003
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REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

After renumbering by the Examiner, Claims 1-8 and 10-12, remain pending.

The subject matter of claim 9 is incorporated into claim 1. No new matter is added.

The amendment to claim 1 removes the rejection of claims 1, 2 and 11, under 35 USC 102(b) as anticipated by Klick, *et al*, (EP 0660293) (EP '293).

Reconsideration and withdrawal of the rejection of claims 3-10, under 35 USC 103(a), as unpatentable over EP '293 and of the rejection of claim 12 over EP '293 in view of Muarase, *et al*, US 5,178,447 (US '447), are respectfully requested.

It is respectfully submitted that modifying the size of the markings to the range of 0.1 to 10 mm would not have been *prima facie* obvious from the disclosure of EP '293 and that this deficiency is not supplied by US '447.

The disclosure of EP '293 (English translation, page 3, second paragraph from bottom, explains that, "The random distribution of the geometrical figures corresponding to the attenuation profile has the effect that an observer standing in front of the luminous display element can no longer perceive individual regions and geometrical figures with the naked eye."

Clearly therefore, the markings are not within the range of from 0.1 to 10 mm in length, which would be perceivable by the naked eye.

Because the markings are not perceivable to the naked eye any defects, such as scratches, will not be hidden or obscured (compare, e.g, Figures 3 and 4 of the subject application).

Therefore, since there is nothing in the disclosure of EP '293 relating to the size of the markings, other than not being visible to the naked eye, and further since there is no suggestion that modifying the size to the range of 0.1 to 10 mm would be useful in the environment of the disclosure or of any benefit, in general, including, improving abrasion resistance, in particular, one skilled in the art would not have been motivated to increase the size of the markings in EP '293 to fall within the claimed range.

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Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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